

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 30, 1972  
7:00 P. M.

LANIER HIGH SCHOOL

The meeting was called to order with Mayor Butler presiding. This was an evening meeting held at Lanier High School, 1201 Peyton Gin Road.

## ROLL CALL:

Present: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Absent: None

The Invocation was delivered by REVEREND JOHN PRICE, Rector, St. George's Episcopal Church.

## APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of November 9, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

## APPRECIATION

Mayor Butler, on behalf of the Council, greeted and welcomed everyone present at this night neighborhood meeting, and thanked Mr. Fred Mathis, Principal of Lanier, for his hospitality in letting the Council hold its meeting in this beautiful building.

## PROCLAMATION

Mayor Butler, on behalf of the Council, proclaimed December 7th as "Civil Defense Day" in Austin. Mrs. R. E. Hicks, American Legion Auxiliary, received the Proclamation.

## DISTINGUISHED SERVICE AWARD

Mayor Butler reported the Council had an honor to bestow upon and to recognize six young Austin citizens. They were on the way to a movie when they saw smoke coming from the windows of Fulmore Junior High School. They discovered firemen unrolling hoses on the other side of the building and two of the boys forced open a door, grabbed a fire hose and started fighting the fire. The others took fire extinguishers and fought fires where they found them. One of the Austin firefighters stated those boys certainly helped out when they first arrived. Mayor Butler presented a Distinguished Service Award to MESSRS. ALBERT RAMIREZ, RALPH BONILLA, ANDY BONILLA, JESSE GARZA, EDDY MURILLO, and GABRIEL GUTIERREZ.

## CHANGE ORDER

Councilman Nichols moved the Council adopt a resolution approving a change order to the JONES ROAD IMPROVEMENT PROJECT, Contract No. 72-Cc-128, Jack Miller, Inc, Contractor, to provide safety school sidewalks on the north side of Jones Road from Buffalo Pass to Westgate - \$5,400.00 (Capital Improvements Program Project No. 6065 3). The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann  
Noes: None

## LICENSE AGREEMENT

Councilman Nichols moved the Council adopt a resolution granting a license agreement for use of the following:

DAN FELTS - proposed encroachment across a drainage easement located on Lot 40, Resubdivision of Lots 29 to 43, inclusive, Speedway Heights.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilmen Lebermann, Friedman  
Noes: None

## SOILS TESTING SERVICES

Councilman Nichols moved the Council select Trinity Engineering Testing Corporation, Grover Williams, Vice-President, for soils investigation and engineering testing service in connection with the following Capital Improvements Project:

Rosewood Park - Project No. 8628 2. Civitan Park - Project  
No. 8629 1. Comal Playground - Project No. 8647 0.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None

#### CONSULTANT - ENGINEERING SERVICES

Mayor Pro Tem Love moved the Council select Marmon, Mok & Green, Inc., for engineering services in connection with the following 1973 Capital Improvements Program Project:

Tennis Center Facilities (Site selection and needs study)  
Project No. 8648 0.

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Butler, Councilman Dryden

#### DESIGN CONSULTANT

Councilman Dryden moved the Council select Page, Southerland, & Page; Barnes, Landes, Goodman & Youngblood; and Gordon A. Frieson Co. for design of Brackenridge Hospital Capital Improvements. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

#### FUNDS FOR TRAINING CONFERENCE EXPENSES

City Attorney Don Butler stated authorization was necessary for the City Manager to apply for \$2,500 funds from the Civil Service Commission for training conference expenses.

In response to Councilman Lebermann's request to describe this conference, Mr. Bilb Stewart explained funds are available through the Inter-governmental Personnel Act to assist in providing Human Rights training for Federal, State and local City governments. The conferences are to provide instruction and equal employment opportunity in intergroup relations, equal representation, and several rights in general. Normally there are about three conferences per year held in various locations. These funds are designed to assist and alleviate this cost to the taxpayers of the City through Federal funds for this purpose.

City Manager Davidson pointed out then it would have been easier had the City had some of the expertise that Mr. Stewart will be exposed to through some of the conferences. Mr. Stewart stated this contribution would be in kind mostly.

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to apply for \$2,500 in funds from the Civil Service Commission for training conference expenses. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilmen Lebermann, Friedman  
Noes: None

#### RECREATIONAL GRANT - TOWN LAKE

City Attorney Butler reported this item was an authorization to apply for Federal Bureau of Outdoor Recreational Grant for Town Lake Development, Phase II, for a 50/50 grant totalling \$100,000.

City Manager Davidson stated as funds can be made available for this project along with matching funds, he would certainly recommend additional applications in the future. Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to apply for a Federal Bureau of Outdoor Recreation Grant for Town Lake Development, Phase II, for a total cost of \$100,000. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Friedman, Handcox  
Noes: None

Councilman Lebermann reported he had attended Congressman Pickle's sponsored revenue-sharing conference and he believed revenue-sharing was going to be helpful. He stated there are about 400 new projects that are going to be covered by the City's 2.45 million dollars.

#### ARCHITECTURAL SERVICES

Councilman Nichols moved the Council select Crow & Pringle for architectural services in connection with the following Capital Improvements Program Project:

Rosewood Park - Project No. 8628 2. Civitan Park -  
Project No. 8629 1. Comal Playground - Project No.  
8647 0.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Friedman, Handcox  
Noes: None

#### CASH SETTLEMENTS

Councilman Nichols moved the Council adopt a resolution authorizing a cash settlement as follows:

40/60% cash settlement with Communiplex, Inc. for water and sewer main extension for Cherry Creek Manor. Estimated cost of water main extension is \$535.00 and sewer main extension - \$4,630.00. City's cost @ 60% is \$321.00 for water main and \$2,778.00 for sewer main; Owner's cost @ 40% is \$214.00 for water main and \$1,852.00 for sewer main.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
Noes: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution authorizing a cash settlement as follows:

40/60% wash settlement with Leon A. Whitney for a water main extension for Mission Hills, Section 4. Estimated cost of water main extension is \$2,902.50. City's cost @ 60% is \$1,741.50; Owner's cost @40% is \$1,161.00.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden  
Noes: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution authorizing 60/40% cash settlement in lieu of a refund contract with Peyton Gin, Inc., for water and sewer mains in Quail Creek West, Section 5. Total cost is \$1,923.60 - City's cost at 60% is \$1,154.16; Owner's cost @40% is \$769.44. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: Councilman Friedman

#### COST DIFFERENCE

Councilman Nichols moved the Council adopt a resolution authorizing payment to Norwal, Inc., for cost difference of 12"/8" water main in Quail Creek, Phase 3, Section 3 - \$3,999.87; and 16"/8" sewer main - \$6,468.11 - Total cost difference - \$10,467.98. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Dryden, Nichols, Mayor Pro Tem Love  
Noes: Councilman Friedman  
Abstain: Mayor Butler

Mayor Pro Tem Love moved the Council authorize payment to Austex Development Co., Ltd., for cost difference of 12"/8" water main The Village, Section 6 - \$1,493.10. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden, Nichols  
Mayor Pro Tem Love, Councilman Lebermann  
Noes: None

## ONE WAY STREETS

Councilman Nichols moved the Council adopt a resolution designating One-way streets as follows:

<u>Street</u>	<u>Direction</u>	<u>From</u>	<u>To</u>
Canyon Circle	North to South	Canyon Circle E.	Canyon Circle W.
29th Street	Eastbound	Hemphill Park	Whitis Avenue
Whitis Avenue	Southbound	29th Street	27th Street

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler  
 Noes: None

## AGREEMENT - SCHOOL OF SOCIAL WORK

Councilman Dryden moved the Council adopt a resolution authorizing an agreement between the City of Austin for Brackenridge Hospital, and the Board of Regents of the University of Texas System, for and on behalf of the Graduate School of Social Work of the University of Texas at Austin. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
 Noes: None

## AGREEMENT - MEDICAL BRANCH AT GALVESTON

Councilman Nicols moved the Council adopt a resolution authorizing an agreement between the City of Austin for Brackenridge Hospital and the Board of Regents of the University of Texas System, for and on behalf of the University of Texas Medical Branch at Galveston, School of Allied Health Sciences. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
 Noes: None

## MODEL CITIES PROPOSAL

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Contract between Austin Model Cities Department and the Texas Hospital Association for a Management Study of the Family Out-Patient Clinic. Total cost of this study is \$2,800 - 100% Model Cities Funds.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Contract between the Model Cities Department and the Department of Public Works for Sidewalk Construction Project. Total cost of this project is \$96,480 - Model Cities share is \$53,568 and other share is \$42,912.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Model Cities Department to contract with the Building Inspection Department fo the City of Austin for Project Rehabilitation #22300. Total cost of this project is \$56,953 - 100% Model Cities Funds.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Model Cities Department to contract with the Travis County Juvenile Court for the Juvenile Delinquency Prevention Project #21800. Total cost of this project is \$202,124. Model Cities share is \$52,124 and Criminal Justice Council share is \$150,000.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

#### ANNEXATION HEARING

Councilman Nichols moved the Council close the public hearing to consider annexation of, and direct the administration to institute annexation proceedings for the following:

0.71 of the one acre of land out of the Wilkenson Sparks Survey - portion of ISLAND WAY. (requested by owner)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler,  
Councilmen Dryden, Nichols  
Noes: None  
Not in Council Chamber when Roll was called: Councilman Handcox

#### CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

LOREY'S FIRE PROTECTION SERVICE (Austin, Texas)	- 6,600 feet of 2½ inch and 5,250 feet of 1½ inch Fire Fighting Hose - \$9,123.00. Bid Invitation No. 3-0115.
---	---

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

E. E. STUESSY COMPANY (Austin, Texas)	- For construction of Electric Ductlines and Concrete Foundations at Barton Sub- station - \$43,836.00 ( Capital Improve- ments Program Project No. 3532 3).
--	---

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

LARSON PUGH, INC. (Austin, Texas)	- For construction of two (2) reinforced concrete box culverts in Mearns Meadow Boulevard and Cripple Creek Drive - Contract No. 72-Cc-139 - \$29,348.45. (Capital Improvements Program Project No. 6539 1).
--------------------------------------	---

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

## ZONING RESCHEDULED

Mayor Pro Tem Love moved the Council grant the request of Mr. Joe R. Long to reschedule Zoning Case No. C14-72-214, C. K. Jamison, for January 4, 1973. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

## APPEARANCE CANCELLED

Mayor Butler announced that Mr. Eugene Garrett, who requested to appear to discuss treatment received as an employee of Brackenridge Hospital, had stated that he did not wish to be heard at this time.

## ZONING WITHDRAWN

Mayor Pro Tem Love moved the Council grant the request of Mr. E. J. Jennings to withdraw Zoning Case No. C14-72-246, Bart Dillon and Edgar Gaylor, 1203 West 40th Street, 3913-3921 Bailey Lane, and 1210 West 39½ Street. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

## ZONING REINSTATED

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.04 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8401-8415 INTERREGIONAL HIGHWAY 35; 800-818 FENELON DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIFTH HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council grant the request of the Planning Department that the Zoning Case C14-68-297 be reinstated and the requirement for three readings be waived, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None

The Mayor announced that the ordinance had been finally passed.

EMERGENCY FUEL OIL

Mayor Butler brought before the Council the confirmation of emergency fuel oil purchases for the Electric Utility Department.

Councilman Nichols moved the Council authorize the purchase of about 219,900 gallons of fuel oil. The motion, seconded by Mayor Pro Tem Love, carried by the following vote;

- Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann
- Noes: None

City Manager Davidson brought up an emergency item stating notice had been received that an additional curtailment of their natural gas supply for production of electric energy is in effect at this time.

Mr. Solon Bennett, Director of Purchasing, reported receiving a bid from Tesoro Petroleum for additional quantities of No. 5 fuel oil at the same bid price, 11¢ a gallon, which will be delivered by truck.

City Manager Davidson stated they were requesting authorization for an additional 500,000 gallons at 11¢ per gallon from Tesoro. Councilman Nichols moved the Council authorize the additional 500,000 gallons as requested. The motion, seconded by Councilman Handcox, carried by the following vote:

- Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman
- Noes: None

Mr. R. L. Hancock, Director of Electric Utility, reported they were in continual communications with the Gas supplier who advised them earlier to anticipate curtailment this year. He stated these are fairly uniform with other electric utilities in their service area. He further reported that plans had been made to expand the facilities at Decker and to accelerate the installation of the fuel oil tanks at Holly. Due to engineering studies, preparation of plans and specifications, they would not have this completed until next summer.

Councilman Lebermann discussed at length the situation as to the reasons for these curtailments.

Mr. Handcock, at the request of Mayor Butler made a report to the audience on the curtailment and the tremendous number of gallons of fuel oil used per day. He stated the City was still in a good posture as they do have adequate facilities. However in the best interest, the facilities should be improved and expanded.

REFUND CONTRACT

Mayor Butler introudced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH NORWAL, INCORPORATED AND AUSTEX DEVELOPMENT COMPANY, LTD.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Handcox, Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: Councilman Friedman

Abstain: Mayor Butler

The Mayor announced that the ordinance had been finally passed.

#### REPORT FROM PARKS AND RECREATION BOARD

City Manager Davidson called upon the Director of Parks and Recreation, Mr. Beverly Sheffield to present the detailed recommendations of the Council, and Dr. Irby Carruth would introduce the subject.

Dr. Carruth introduced members of the Board who were present.

#### Caswell Tennis Fees

Mr. Sheffield, Director of Parks and Recreation, stated a thorough study had been made of the tennis fees as well as other revenue producing activities and it was the opinion of the Parks Board that the fee at Caswell Tennis Center remain the same. He reviewed those fees now in effect. City Manager Davidson stated that the Board, noting the difference between revenues produced and a net loss of \$739.00 probably was the reason the Board recommended that no change in fees at this time be made. Mr. Sheffield noted public parks and playgrounds would always have to be tax supported, but the highly developed activities in which few people participated would help to pay the way. Councilman Lebermann noted the neighborhood parks and tennis courts which are free. Members of the Council discussed the fees in general.

#### Northwest Junior Swimming Pool

Discussion was held on location of swimming pool in the Northwest. Mr. Sheffield stated Board Member, Mrs. McCallan had brought up the idea if the City were going to build the pool in the proximity of the Junior High School -- Doss Elementary site would serve a greater public purpose. Mr. Sheffield stated the Staff would like the privilege, and the Parks and Recreation Board recommends that the Council look into this possibility and see what is involved in relation to the school's building it adjacent to the Junior High School site instead of Doss Elementary.

Interest in the size of the pool was expressed by Councilman Lebermann. Also operating the pool in a co-venture with the schools was discussed. Mayor Pro Tem Love stated the Council would need to establish a policy to be ironed out with the School System. City Manager Davidson stated he was working with Mr. Jack Davidson at this time. He stated what is before the Council at this time is the location of the pool. He suggested that the Council direct the administration to proceed with the best possible location from the standpoint of the City of Austin, and what cooperation on this facility that could be worked out would be brought back to the Council for its consideration at that time.

Tennis Courts at Reed Park

The Director of Recreation presented the item of tennis courts at Reed Park, locating the Park on the wall map, and showing the site of the junior swimming pool, open space areas for informal football and baseball. He pointed to the area in which the tennis courts would have to be built and pointed out the disadvantages mainly that the area would be too crowded. He stated the Parks and Recreation Board recommended not to build the tennis courts at Reed Park.

Mr. Lowe, Chairman of the Recreation Task Force stated the Task Force had no recommendation as to the fees at Caswell Tennis Center except they would like for the Council to look into the annual fees on membership dues.

As far as Northwest Junior Swimming Pool, the Task Force knew nothing about it at this time.

Mr. Lowe stated his Board concurs wholeheartedly with the Parks Board as far as Reed Park is concerned as to the construction of tennis courts there. They think that no new tennis courts should be build until the consultant has had time to look into the entire realm of tennis.

In conclusion, City Manager Davidson stated that the Doss Swimming Pool Project had been an item in the Capital Improvements Program as recommended by the Parks Board, the Planning Commission, and approved by the Council prior to the time the Task Force was created. He stated the City was interested in the best location for the pool.

Motion

Councilman Lebermann expressed concern about the covered swimming pool as a recreational item for the City as it would fulfill many purposes. Councilman Lebermann moved the acceptance of Parks Board recommendation on the three items discussed. (Location of the Northwest Pool close to Murchison School). The motion was seconded by Councilman Nichols.

In clarification, City Manager Davidson stated there was no plan drawn as to where this pool would be located at Murchison. If the motion carries, they would develop the necessary studies quickly to determine whether or not they could locate a good pool at Murchison, if so, they would proceed, if not, they would bring the matter back to the Council for additional authorization. He stated they had a federal grant application that has been submitted for construction of this facility. It carries the location of Doss Elementary School.

Substitute Motion

Councilman Handcox offered a substitute motion to accept the recommendations for Caswell Tennis and for the Reed Park and exclude the Northwest Junior Swimming Pool until the Task Force and the study has been completed.

Mayor Pro Tem Love seconded Councilman Handcox's substitute motion.

Councilman Lebermann stated his motion contemplated the same thing. Councilman Nichols had seconded Councilman Lebermann's motion.

Roll call on the substitute motion showed the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Mayor Pro Tem Love  
Noes: Councilmen Lebermann, Dryden, Nichols

The Council recognized this area was a fast growing area, and that many people are interested in knowing just when they might get a swimming pool in this area. Councilman Dryden stated now was the time to acquire the land for the swimming pool.

Councilman Dryden moved the Council request Mr. Sheffield make a study in the very near future, and report back to the Council about the population and the expected growth in this area for a swimming pool and tennis courts, recreation, etc. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

A gentleman from the audience who was a member of the North Austin Civic Association, stated they had a situation where they may inherit approximately three quarters of an acre of park land or greenbelt in this particular area. He asked if there were any possibility of working something out to get the City to take this over and maintain it as a park. He stated they could not financially support the private park because of taxes and insurance. City Manager Davidson stated if the property were dedicated as a public park, the City could look at it and present a report to the City Council and determine whether or not the City could accept it as a park. If it were accepted, then the City would assume maintenance.

Mr. Sheffield, Director of Parks and Recreation, stated there was lots of interest from fine citizens to establish a neighborhood school park at Wooldridge School. This group is appearing before the Parks Board on December 19th to present their interest in this playground. The little piece of land on the creek is adjacent to this but it is across the street. He stated they would have a recommendation shortly. Mayor Pro Tem Love suggested that this gentleman go through the Parks and Recreation Department.

#### REVISION OF SIGN ORDINANCE

A public hearing was held concerning the revision of the Sign Ordinance. Mr. Charles Sandahl, owner of a bottling company, felt that some of the provisions were a hardship on bottling companies, as to the moving, altering, or repairing of signs, all of which requires a permit. After some discussion, the words "structurally altered or repaired" were felt to be clearer.

Also there was some discussion about the "Grandfather Clause". Mr. Sandahl pointed out that if a sign is neglected, then the City can go in and remove it and charge the owner the cost of the removal thereof. The "grandfather clause" protects a person only from the \$200 fine, but not for the cost of removal. He noted there was no provision for a temporary sign, except where it is attached to the face of a building, and the bottlers often have a sale and places they sell to need temporary signs to advertise the sale. A length of time, perhaps 30 days, was discussed.

Councilman Nichols brought up the question of signs on newspaper racks, or coin machines. The City Attorney and the Director of Building Inspection, Mr. Dick Jordan, felt this could be worked out by exception.

Mr. Dick Bergen, a sign manufacturer, was concerned over the zoning regulations regarding signs. Mr. Jordan pointed out the zoning regulations would also apply to signs, but that this was a separate thing from what is being discussed today.

Councilman Dryden suggested that Mr. Sandahl and Mr. Bergen meet with the City Attorney and the Building Inspector and work a few of these points out, especially regarding the temporary signs, alterations and repair, and the newspaper racks. A motion was made by Mayor Pro Tem Love and seconded by Councilman Handcox, that the City Attorney, with the advice and consultation of the City Manager and Mr. Jordan, come back in two weeks with the final ordinance for the Council to act upon. The motion received the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

#### QUAIL CREEK DRAINAGE

A petition of homeowners on Quail Creek was submitted to the City Council, concerning the fact that there is flooding into yards, over bridges, etc., whenever there is a heavy rain. Mr. Homer Reed, Deputy City Manager, explained that the original plan calls for the developer to reconstruct the channel of Quail Creek. Some of the channel improvements will require the removal of some willow trees that have grown up in the middle of the channel. This will increase the capacity of the channel some 30% or 40%. It was noted that there are, however, some areas that are unsubdivided and there are no easements. It was thought these would be subdivided soon and easements required. Trash and debris have been cleaned out, as well as yard trimmings, and it is hoped this will not be a re-occurring problem. One problem in clearing the trees out now is that there will be no grass or roots to hold the earth during the winter, and erosion may occur. Late spring and early summer is the best time to do this.

There was a question from the audience as to how often the City cleans out the channels. It was explained that is done when it has to be done. It was also noted that the easements are very narrow in some places, and this does not allow for a Hike and Bike Trail or other paths along the edge of the creek.

Mr. Charles Graves, City Engineer, explained that the Capital Improvements Program includes a project to study all of the water sheds, including this one, on the basis of a 25-year flood plain. This would allow the City to request the developer to provide sufficient easement and channels to carry the water when the property is fully developed. The Engineering Department is proceeding to prepare temporary remedial measures which would be necessary until the plan is finished in some 12 to 18 months. Presently there is a backwater effect downstream where there is the confluence of the two branches, Quail Creek and Little Walnut Creek, where the Redman Tract is located.

#### ANNEXATION ORDINANCE - FINAL PASSAGE

Mayor Butler brought up the following ordinance for its final reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 32.48 ACRES OF LAND AND 28.59 ACRES OF LAND, BOTH BEING OUT OF AND A PART OF THE

SANTIAGO DEL VALLE GRANT, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved the Council finally pass the ordinance. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Friedman, Handcox  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT A, FOX ADDITION, LOCALLY KNOWN AS 8914-8930 RESEARCH BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Friedman, Handcox, Mayor Butler  
Noes: None  
Abstain: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 AND 2, WISIAN AND SCHMIDT SUBDIVISION, LOCALLY KNOWN AS 502 AND 504 WEST OLTORF STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen  
Friedman, Handcox, Mayor Butler  
Noes: None  
Abstain: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

## ZONINGS SET FOR PUBLIC HEARING JANUARY 4, 1973

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on January 4, 1973:

P. M. BRYANT C14-72-074	2642-2700 Metcalfe Rd.	From Interim "A" Residence First Height and Area To "BB" Residence First Height and Area
VARA CORPORATION John T. Jones, President C14-72-211	2231-2433 Ed Bluestein Boulevard 7622-7630 U.S. Hwy. 290	From "A" Residence First Height and Area To "GR" General Retail Second Height and Area
JOHN JOSEPH and JESSE J. BARTLETT By John H. Akin C14-73-253	Rear of 1318-1412 E. 51st 1414 E. 51st Street Rear of 1416-1418 E. 51st	From "A" Residence To "B" Residence
DR. & MRS. RODGER BOLTON By John Lewis C14-72-262	3601-3603 Manchaca Rd. 3504-3506 Fleetwood Dr.	From "A" Residence To "B" Residence
W. D. DODSON C14-72-271	60 Rainey Street 606-608 River St.	From "A" Residence To "C" Commercial
W. W. BURT C14-72-272	6501 Riverside Dr.	From "A" Residence First Height and Area To "GR" General Retail Second Height and Area
DAVID D. SHANKS By C. Dean Davis C14-72-273	1105 W. 12th Street (at Castle Court)	From "B" Residence To "O" Office
O. L. SAULS and CARL LARRY TEMPLETON By Barbara L. Holman C14-72-274	4106-4108 Marathon Boulevard	From "A" Residence To "O" Office
KAY MEARS MURCHISON TRUST, ET AL By Wroe Owens C14-72-276	3509-3601, 3605-3607 Lawton Avenue	From "A" Residence To "LR" Local Retail
ARDIE MAE CLARK By J. V. Pilcher C14-72-277	Rear of 3302-3308 3310-3400; Rear of 3402-3406 Pecan Springs Road	From "A" Residence To "B" Residence

CAMERON ROAD CHURCH OF CHRIST By Dale Ossip Johnson and Bill J. Burnette C14-72-278	6012-6022 Cameron Rd.	From "A" Residence And "GR" General Retail To "GR" General Retail
ELI GARZA C14-72-279	5818-5920 So. Congress	From Interim "A" Resi- dence First Height and Area To Tract 1 - "C" Com- mercial and Tract 2- "B" Residence
WALTER R. HOPKINS C14-72-280	5705 Woodrow Ave.	From "A" Residence To "O" Office
RUTH M. MALONE By Virgil Waggoner C14-72-281	502 W. 35th Street	From "A" Residence First Height and Area To "B" Residence Second Height and Area
DON P. WOODY By Steve Harris C14-72-282	2401-2415 Parker Ln.	From "A" Residence To "BB" Residence
FRED J. QUIST, ET AL By Virgil Waggoner C14-72-283	4501 and 4509-4611 Manchaca Rd.	From "A" Residence To "Tracts 1,2,3, & 4 "GR" General Retail Tract 5 "B" Residence
ALVIN P. SCHILLER & ARTHUR A. WUTHRICH By Don Fergurson C14-72-284	5605-5607 Joe Sayers Avenue	From "A" Residence To "B" Residence
EDMUND J. FLEMING, JR. & DR. A. J. RODRIGUEZ By Larry Niemann C14-72-285	4014 Medical Pkwy.	From "A" Residence To "O" Office
ROBERT L. OGDEN C14-72-286	1602 W. 5th Street	From "A" Residence First Height and Area To "C" Commercial Second Height and Area
AUSTIN CATERING SERVICE, INC. C14-72-287	2104-2106 Nickerson St.	From "BB" Residence Second Height and Area To "B" Residence First Height and Area
DAN COVERT By Fred W. Poe C14-72-288	4317-4331 S. I. H. 35	From "A" Residence To "GR" General Retail

RAY SHAW C14-72-289	2115-2203 Thrasher Ln.	From "A" Residence To "C" Commercial
MAHONEY PARTNERSHIP By Steve Price C14-72-290	2923 Guadalupe Street	From "C" Commercial Second Height and Area To "C-2" Commercial Second Height and Area
RICHARD S. TRIMBLE By Lou McCreary C14-72-291	7807 Watson St.	From "A" Residence To "O" Office
JOE COLVIN By George Butler C14-72-292	308-310 W. Oltorf St.	From "A" Residence To "GR" General Retail
MIKE WILLIAMS ESTATE By Andrew J. Archuleta C14-72-293	9226 Jollyville Rd. (Old U. S. Hwy. 183)	From Interim "A" Resi- dence First Height and Area To "BB" Residence Second Height and Area
THE NINETEENTH & SAN ANTONIO CORP. By William H. Bingham C14-72-294	1911-1913 San Antonio St.	From "B" Residence Second Height and Area To "LR" Local Retail Second Height and Area
JOHN GIDDINGS By Martin Boozer, Jr. C14-72-295	200-204 W. 31st St. 3100-3106 Cedar St.	From "A" Residence First Height and Area To "B" Residence Second Height and Area
ST. JUDES OF AUSTIN Bishop Louis J. Reicher Trust By Tom Curtis C14-72-296	4708-4800 So. 1st. St.	From "A" Residence To "O" Office
CHARLES L. VILLANSENOR C14-72-297	1702-1704 Montopolis Dr.	From "A" Residence To "GR" General Retail
CLARK-FRATES CORP. By Newell Boughton, Jr. C814-72-014	Mesa Dr. and Myrick Dr.	155 Single-family units with related amenities called "Northwest Mesa" PLANNED UNIT DEVELOPMENT
W. R. COLEMAN C814-72-012	2005 Lakeshore Dr.	12 Attached single family units called "Island Way" PLANNED UNIT DEVELOPMENT

ADJOURNMENT

The Council, having no further business, then adjourned.

APPROVED: Ray Butler  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk